THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 26119 OF 2005

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Between:

Smt. Yerramallela Lakshmi Subhadra

… Petitioner

And

The Government of A.P., represented by

its Secretary, Social Welfare (LTR-2)

Department, Secretariat Buildings,

Hyderabad and others.

… Respondents.

ORAL ORDER:

This writ petition is filed questioning the orders of ejection passed by the Special Deputy Collector, Tribal Welfare, Rampachodavaram, as confirmed by the appellate authority in exercise of powers under Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation No. 1 of 1970.

In the affidavit filed in support of the writ petition, it is categorically stated that the petitioner has filed Revision Petition against the orders of appellate authority on 29.11.2005 along with an application for stay. On the ground that no orders have been passed by the revisional authority either on the stay application or in the main revision, this writ petition has been filed.

The primary authority has initiated suo motu proceedings and ordered eviction of the petitioner from the petition-schedule land and further ordered to take the land into government custody. The stand of the petitioner is that he purchased the subject land in the year 1969 before the Land Transfer Regulation came into force and the same is not hit by the Regulations. Inasmuch as the revision petition filed by the petitioner is still pending consideration before the revisional authority, first respondent-Government, it is not desirable to record any finding on merits. However, even according to the impugned orders, it appears that the petitioner in possession of the land in 1969. In that view of the matter, balance of convenience lies in continuing the possession of the petitioner pending disposal of the Revision Petition filed by the petitioner. Hence, the writ petition is disposed of directing the revisional authority to dispose of the Revision Petition filed by the petitioner on 29.11.2005 as expeditiously as possible, preferably, within a period of four months from the date of the receipt of a copy of this order. I further direct the respondents to maintain status quo with regard to the possession of the land, which is subject matter of the eviction proceedings till the disposal of the Revision Petition.

Subject to above direction, the writ petition is disposed of. No costs.

2006. **(R.SUBHASH REDDY, J.)**

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